

**DISCUSSION DRAFT**  
**Potential Amarillo Charter Revision Measures**  
**June 20, 2024**

**POTENTIAL MEASURE 1 - ARTICLE V**

These Sections of Article V be amended so that hereafter the same shall be and read as follows:

- **SECTION 1. - MUNICIPAL GOVERNMENT**

The municipal government of the City of Amarillo shall consist of the City Council, which shall be a Mayor and ~~five (5)~~ **six (6)** Councilmembers, **each of whom shall be elected by a majority of the registered voters within the city.**

**SECTION 2 - ESTABLISHMENT OF GEOGRAPHIC AREAS:**

(a) Districting Commission

Upon the adoption of the amended Charter, a Districting Commission shall be established by Ordinance of the City Council. The members of the Districting Commission shall be appointed by the Mayor and City Council. The Mayor and each at-large Councilmember from Places 1, 3, and 5 or 1 and 3 shall nominate one qualified voter from the City at large to serve on the Districting Commission. Each Councilmember from Places 2, 4, 5, and 6 or 2, 4, 6 shall nominate one qualified voter from the geographic area in which they reside to serve on the Districting Commission. The terms “geographic area,” “Council Place,” “Council district,” “Council Area,” or other term denoting a specific area of the city to be represented by a member of the City Council may be used interchangeably and are substantially equivalent. The term “At-large” or “citywide” may be used interchangeably and are substantially equivalent when referring to the Mayor or Councilmember of a Place not requiring residency in a specific area.

The members of the Districting Commission shall not serve the City in any other capacity, whether appointive or elective, nor shall they hold any other elective public office. The Commission shall elect its own presiding officer. The Commission shall adopt guiding principles which ensure that the Commission’s recommendations of the geographic area boundaries shall be made in a manner which complies with the constitutional principles and laws governing voting rights of the United States and Texas. The geographic areas shall be of substantially equal population.

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The Commission shall, by **January 15, 2025** make recommendations to the City Council establishing the boundaries of the geographic areas of the Councilmember Places to be represented by a resident of that area and identifying the seats of the Mayor and any Councilmember to be elected on an at-large, citywide basis. Upon receiving the Commission's recommendations, the Council, prior to **DATE**, and the commencement of the filing period for the May 2025 Mayor and City Council elections, shall adopt the geographic boundaries of each Council area and the designation of seats elected on an at-large basis. It shall be clearly known which Council seats are to be elected on an at-large, citywide basis, including the Mayor, and which Councilmember Places require the Councilmember to be a resident of said district prior to them filing for office.

Beginning in 2031, and every ten years thereafter, following the Federal decennial census, the Mayor and City Council shall appoint a Districting Commission as described above on or before April 1 following the publication of the results of each decennial United States census. The Districting Commission shall report to the City Council no later than September 1 of each year following the decennial census its recommendations regarding any necessary adjustments of the boundaries of the geographic areas resulting from changes to the City's population and other appropriate demographic considerations. Upon receiving the Commission's recommendations, the Council shall, prior to December 31 of that year, review the population of each proposed district, and adopt an Ordinance to change the boundaries thereof as necessary to insure substantial equality in the populations of the districts.

(Char. 11-18-13, Art. 5, § 1; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

**SECTION 2-3. ~~TERM OF OFFICE~~ CITY COUNCIL NUMBER, SELECTION AND TERM.**

- (a) The City Council shall be comprised of a Mayor and six (6) Councilmembers divided into six (6) places known as Places 1, 2, 3, 4, 5, and 6 with places on the official ballot designated as "Member of council, place no. \_\_," or "Mayor." The Mayor and six (6) Councilmembers shall be elected from a majority vote of the qualified voters throughout the city of Amarillo voting in the election. Each

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candidate shall designate the specific office or place for which they are a candidate for election.

- (b) The Mayor and each Councilmember shall serve for a term of ~~two (2)~~ four (4) years and until a successor is elected and qualified; unless sooner removed from office as herein provided.
- (c) At-large positions: The Mayor and Councilmembers, Place Numbers 1, 3, and (5) shall serve in an at-large position, elected on a citywide basis, and may reside in any portion of the city. If the Mayor or a Councilmember elected on an at-large, citywide basis, is no longer a bona fide resident of the city of Amarillo, they shall immediately forfeit their office. The City Council may then proceed to fill the seat according to the provisions of the Charter.
- (d) Geographic positions: The city shall by Ordinance be divided into three (3)/four (4) geographic districts based on equality of population. Councilmembers, Place Numbers 2, 4, (5), and 6 shall be elected as a resident of each specific geographic district. No person shall be eligible to be a candidate to serve as a Councilmember of a specific geographic district unless the candidate is at that time a bona fide resident of said district and shall have established residency in that district for a minimum of twelve (12) months prior to the filing date for the office. Councilmembers elected as a specific geographic district representative must continuously reside in said district during their term or terms of office. If a Councilmember elected as a specific geographic district representative is no longer a bona fide resident of said district, they shall immediately forfeit their office. The City Council may then proceed to fill the seat according to the provisions of the Charter.
- (e) The Mayor and all Councilmembers, Places 1, 2, 3, 4, 5, and 6 shall be elected May of each odd-numbered year the beginning in May 2025.
- (f) The Mayor and Councilmembers Places 1, 3, and 5 shall hold office for a period of four (4) years, until May 2029, and until their successor is elected and qualified.
- (g) Councilmembers Places 2, 4, (5), and 6 shall be elected in May 2025 and shall hold office for a period of two (2) years, until May 2027 and until their successor

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is elected and qualified. Beginning in May 2027, elections for these Places shall be held every four (4) years, beginning in May 2031.

- (h) No person shall serve more than two consecutive full terms as Mayor or Councilmember. A person who has served as Mayor or a member of the City Council in either as an at-large or geographic district representative, for two (2) consecutive full terms, shall not again be eligible for election to the same position until at least two (2) years has elapsed, except such council member shall be eligible for election as mayor.

**SECTION 5. - ELECTIONS**

(a) The elective officers of the City shall consist of a Mayor and ~~four (4)~~ six (6) Councilmembers (the Councilmembers shall be designated as Councilmember Place One, Councilmember Place Two, Councilmember Place Three, ~~and~~ Councilmember Place Four, **Councilmember Place Five, and Councilmember Place 6**), each of whom shall be elected by a majority of the registered voters within the city.

(b) At the time of filing as a candidate for Mayor or City Councilmember, the person shall, in addition to meeting all other requirements and qualifications, either pay an application fee of one hundred dollars (\$100.00) to the City Secretary, or in lieu of such submit a petition signed by one hundred (100) registered voters of the City, verified by the City Secretary, in support of the person's candidacy.

(c) Should any candidate fail to receive a majority of the votes at the regular election for the office for which he is a candidate, the Council shall immediately order a special election in accordance with applicable state law, at which special election the names only of the two candidates receiving the highest number of votes at the regular election, for the office for which they were candidates shall be printed on the ballot and submitted to the registered voters within the city for election, and the candidate receiving the majority of votes at such special election for the place of office for which he was a candidate, shall be declared duly elected.

(Char. 11-18-13, Art. 5, § 5; Ord. No. 2019, § 1, 12-7-1954, Election 1-18-1955; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

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**SECTION 8. - ELECTION DAY**

The regular municipal elections of the City of Amarillo shall be held on the date allowed by state law that occurs on or nearest to May 1 in each odd numbered year. If state law provides two election dates which are equally near May 1, the Council shall select one.

(Char. 11-18-13, Art. 5, § 8; Ord. No. 5000, 7-1-1980, Election 8-9-1980; Res. No. 11-13-13-1, § 1, 11-13-2013, Election 11-5-2013)

**POTENTIAL MEASURE 2 - ARTICLE V – City Council Appointive Officers**

**ARTICLE V – SECTION 20, 21**

That Section 20 of Article V be amended so that hereafter the first paragraph of Section 20 shall be and read as follows:

**SECTION 20. - CITY ~~COUNCIL MANAGER~~ APPOINTIVE OFFICERS:**

There shall be appointed by a majority of the City Council, a City Manager and a City Attorney and other officers as may be required by State Constitution or State law, any of whom may be removed by a like majority vote of the said City Council at the pleasure of the City Council. The duties of such officers shall be as prescribed by State law, or Ordinance or direction of the City Council not in conflict therewith. The compensation of such offices shall be set by the City Council. Such appointive officers shall appoint and remove any officer or employee placed under his authority and control.

- (a) The Council shall appoint a City Manager, who shall be the administrative head of the municipal government and shall be responsible for the efficient administration of all departments. The Manager may or may not be a resident of the City of Amarillo when appointed and shall hold his office at the will of the Council.

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- (b) The City Council shall appoint a competent and duly licensed attorney practicing law in the State of Texas, who shall be the City Attorney. The City Attorney holds office at the pleasure of the City Council. The City Attorney shall be the legal advisor of, and attorney and counsel for, the City and all officers and departments.

**SECTION 21. POWERS AND DUTIES OF THE ~~CITY MANAGER~~ CITY COUNCIL**  
**APPOINTIVE OFFICERS**

(a) Powers and Duties of The City Manager

1. The City Manager shall see that the Laws and Ordinances of the City are enforced;
2. Appoint all appointive officers or employees of the City with the advice and consent of the Council (such appointments to be made upon merit and fitness alone), and remove all officers and employees appointed by the Manager;
3. Exercise control and supervision over all departments and offices that may be created by the Council, and all officers and employees appointed by the Manager;
4. Attend all meetings of the Council with a right to take part in the discussion, but having no vote;
5. Recommend, in writing, to the Council such measures as the Manager may deem necessary or expedient;
6. Keep the Council fully advised as to the financial condition and needs of the city; and,
7. Perform such other duties as may be prescribed by this Charter, or be required by Ordinance or resolution of the Council.

(b) Powers and Duties of the City Attorney

1. Attend all meetings of the Council with a right to take part in the discussion, but having no vote;
2. Recommend, in writing, to the Council such measures as the City Attorney may deem necessary or expedient;

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3. Keep the Council fully advised as to the legal conditions and needs of the City;
4. Appointment of Assistants: The City Attorney shall serve as the director of the City Attorney's Office and shall have the power to appoint, and remove, such assistants as may be deemed necessary. Persons appointed as an Assistant City Attorney shall be among the unclassified service. The City Attorney shall set compensation for any assistants in accordance with the City's policies and procedures and as adopted in the budget by the City Council.
5. Assistants to have all powers and duties of City Attorney: All powers and duties imposed on the City Attorney may be exercised and performed by any Assistant City Attorney under the City Attorney's direction.
6. Outside Counsel: The City Attorney's Office shall oversee legal services for the City, its boards, committees, commissions, or other City commissioned entities for the purposes of accomplishing common goals of eliminating duplication of services, creating administrative efficiency, providing for joint legal service efforts and ensuring the quality of legal service to the citizens at the lowest cost in terms of fees and tax rates. Outside counsel may only be retained in cases of extraordinary importance, legal specialization required, assignment by insurance or bond requirements, or in an emergency, and shall be done in accordance with the policies and procedures approved and adopted by the City Council. In such contingency, the City Council shall fix in advance, as far as practicable, the compensation to be allowed such extra or outside counsel by resolution.
7. Term, removal, absence, or disability of City Attorney: The City Attorney shall not be appointed for a definite fixed time but shall be removable at the will and pleasure of the City Council by a vote of not less than a majority of the entire City Council. The City Council may suspend the City Attorney from office. In case of the absence or disability of the City

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Attorney, the City Council may designate some qualified person to perform the duties of the office.

**POTENTIAL MEASURE 3 - ARTICLE VI – UNCLASSIFIED AND CLASSIFIED SERVICE**

**ARTICLE VI - SECTION 4. - UNCLASSIFIED AND CLASSIFIED SERVICE**

The positions in the City's service shall be divided into the unclassified and classified service.

(a) The unclassified service shall comprise the following offices and positions:

1. Members of the City Council.

2. The City Secretary

3. The City Manager.

4. The City Attorney

4.5. The Heads of Departments.

~~5.6.~~ Each principal assistant or deputy and one private secretary to the City Manager and to each of the Heads of Departments.

~~6.7.~~ Members of Boards, Committees, and Commissions in the City's service.

~~7.8.~~ Persons employed to make or conduct a special inquiry, investigations, examination, or installation, if the City Council or the City Manager certifies that such employment is temporary, and that the work should not be performed by employees in the classified service.

~~8.9~~ Persons employed as an attorney or other professional whose professional services are regulated by the state law on procurement of professional services by state agencies.

(b) The classified service shall comprise all positions not specifically included by this section in the unclassified service.

(c) All persons in the City service holding positions in the classified service as established by this Article at the time it takes effect except those holding the positions of those on military leave and those over 34 years of age employed since January 1,



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1942, shall retain their positions until discharged, reduced, promoted, or transferred in accordance therewith.

(d) In the event a person has been employed since January 1, 1942, and was over 34 years of age at the time of such employment, nevertheless, such person may be eligible to come under classified service, provided he is recommended to the Board for certification by the department head and City Manager. But no certification shall be made until the expiration of six months after the present emergency.

(e) The provisions of this Article shall be made to apply to all classified positions in the department of Fire and Police on the effective date of this Article and to such other departments or groups of City employees as may later provided by ordinance.

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